



Senate

General Assembly

File No. 333

January Session, 2003

Substitute Senate Bill No. 1005

Senate, April 14, 2003

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ENVIRONMENTAL IMPACT EVALUATIONS AND INDIAN TRIBE COMPACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-1c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 As used in sections 22a-1 to 22a-1i, inclusive, "actions which may
4 significantly affect the environment" means individual activities or a
5 sequence of planned activities proposed to be undertaken by state
6 departments, institutions or agencies, or funded in whole or in part by
7 the state, which could have a major impact on the state's land, water,
8 air, historic structures and landmarks as defined in section 10-320c,
9 existing housing, or other environmental resources, or could serve
10 short term to the disadvantage of long term environmental goals. Such
11 actions shall include, but not be limited to, new projects and programs
12 of state agencies, the execution of a compact between the state of
13 Connecticut and any other state or Indian tribe and new projects

14 supported by state contracts and grants, but shall not include (1)
15 emergency measures undertaken in response to an immediate threat to
16 public health or safety; or (2) activities in which state agency
17 participation is ministerial in nature, involving no exercise of
18 discretion on the part of the state department, institution or agency.

19 Sec. 2. Section 3-6c of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective October 1, 2003*):

21 Within ten days after the date of execution of any compact or
22 amendment to a compact between the state of Connecticut and another
23 state or an Indian tribe, the Governor shall file such compact or
24 amendment with the clerks of the House of Representatives and the
25 Senate. Prior to such filing, any environmental impact evaluation
26 required pursuant to section 22a-1b shall be completed. The General
27 Assembly may approve such compact or amendment, in whole, by a
28 majority vote of each house or may reject such compact or amendment,
29 in whole, by a majority vote of either house. If rejected, the compact or
30 amendment shall not be valid and shall not be implemented. The
31 compact or amendment shall be deemed rejected if the General
32 Assembly fails to vote to approve or reject the compact or amendment
33 (1) prior to the adjournment of the regular session of the General
34 Assembly during which such compact or amendment is filed, (2) prior
35 to the adjournment of the regular session of the General Assembly first
36 following the date on which such compact or amendment is filed if the
37 General Assembly is not in regular session on such date, or (3) prior to
38 the adjournment of a special session convened before the next regular
39 session of the General Assembly for the purpose of considering such
40 compact or amendment if the General Assembly is not in regular
41 session on the date on which such compact or amendment is filed,
42 provided, if the compact or amendment is filed less than thirty days
43 before the end of a regular session, the General Assembly may vote to
44 approve or reject the compact or amendment (A) within thirty days
45 after the first day of a special session convened before the next regular
46 session of the General Assembly for the purpose of considering such
47 compact or amendment, or (B) within thirty days after the first day of

48 the next regular session of the General Assembly.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Governor's Off.	GF - Cost	Potential	Potential
Various State Agencies	GF - Cost	None	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
Various Municipalities	Cost	Potential Minimal	Potential Minimal

Explanation

The bill requires the Governor's Office as the sponsoring agency to complete an environmental impact evaluation upon execution of a compact between Connecticut and other states or Indian tribes. In the event of such a compact, the Governor's Office will incur costs for consultants to perform such an evaluation. The extent of any potential costs depend upon the number of compacts and the complexity of the analysis.

The bill would potentially increase the number of environmental impact evaluations (EIE) various agencies and impacted municipalities must review and comment on. Few additional evaluations are anticipated and any workload increase associated is anticipated to be completed within routine duties.

OLR Bill Analysis

sSB 1005

***AN ACT CONCERNING ENVIRONMENTAL IMPACT EVALUATIONS
AND INDIAN TRIBE COMPACTS*****SUMMARY:**

This bill adds the execution of compacts between Connecticut and (1) other states or (2) Indian tribes to the list of actions that may significantly affect the environment and therefore require the completion of an environmental impact evaluation (EIE) under the Connecticut Environmental Protection Act. Under the bill, any EIE required must be completed (1) after the governor executes a compact with another state or an Indian tribe and (2) before the 10-day deadline to submit the compact or amendment to the clerks of the House and the Senate for approval.

EFFECTIVE DATE: October 1, 2003

BACKGROUND***Actions Requiring an EIE***

By law, state departments, institutions, or agencies considering (or funding in whole or part) actions that may significantly affect the environment must explore consequences through preparation of an EIE, which must be submitted to various agencies and is open to public inspection and comment.

Under current law, the actions include new projects, new programs, or supporting these with state funding or contracts. The actions may be individual activities or a sequence of planned activities and could have a major impact on the state's:

1. land,
2. water,
3. air,

4. historic structures and landmarks,
5. existing housing, or
6. other environmental resources.

Actions that could have a short-term disadvantage to long-term environmental goals also require an EIE.

When a sponsoring agency submits its EIE, it must immediately publish notice of the EIE's availability and a summary in (1) a newspaper with general circulation in the affected municipality at least once a week for three weeks and (2) the *Environmental Monitor*. The sponsoring agency must hold a public hearing if (1) 25 persons or (2) an association having at least 25 members requests one within 10 days of EIE notice publication in the *Environmental Monitor*.

State Agencies Commenting on and Reviewing EIEs

The agencies that receive EIEs for comment and review are as follows: (1) the Council on Environmental Quality, (2) the Department of Environmental Protection, (3) the Connecticut Historical Commission, (4) the Office of Policy and Management (OPM), (5) Department of Economic and Community Development (for proposed projects that affect existing housing), (6) the town clerk in affected towns, and (7) other appropriate agencies.

OPM must review all EIEs (and accompanying comments) and determine in writing whether or not an evaluation meets all statutory and regulatory criteria. OPM must publish its determination as to whether or not an EIE is satisfactory and forward it to the entity that submitted the EIE. OPM may require the entity to revise an EIE it finds inadequate. A project's state funding may be held up until an adequate EIE is completed, according to the Department of Environmental Protection.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 25 Nay 0

